

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE NISSAN RADIATOR/TRANSMISSION
COOLER LITIGATION

**AFFIRMATION OF NINA S.
MCDONALD IN SUPPORT OF
NNA'S RESPONSE IN SUPPORT
OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF
SETTLEMENT**

10 CV 7493 (VB)

NINA S. MCDONALD, an attorney duly admitted, *pro hac vice*, to practice law before the United States District Court for the Southern District of New York, hereby affirms the following to be true or, if stated upon information and belief, believes it to be true, under penalty of perjury:

1. I am an Associate in the law firm of SEDGWICK LLP, attorneys for defendant, NISSAN NORTH AMERICA, INC. (“NNA”), as such, I am familiar with the facts, pleadings and prior proceedings of this action by virtue of my review of the file maintained in this office for the defense of this action.

2. This Affirmation and the accompanying Memoranda of Law are respectfully submitted in support of NNA's Response in Support of Plaintiffs' Motion or Final Approval of Class Settlement [Dkt. ##94 & 96] and Response in Opposition to Plaintiffs' Application for Award of Attorneys' Fees and Expenses and Payment of Incentive Awards to Plaintiffs [Dkt. ##94 & 97].

3. The following exhibits are submitted in support of NNA's Responses:

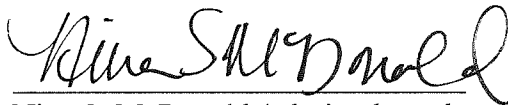
1. A true and correct copy of NNA's June 7, 2012 Incident Rate Projections for Class Vehicles that will experience a problem with cross-contamination of engine coolant and transmission fluid with resulting

transmission damage, highlighted to correspond with the information for which it is cited in NNA's briefs.

2. A true and correct copy of the Declaration of Jenny Cudworth and accompanying exhibits.
3. A true and correct copy of Exhibit 14 to the Deposition of Dale Weiss, taken February 6, 2013.
4. A true and correct copy of Gary Graifman's Affidavit filed in *Sheris v. NNA*, 2:07-cv-02516-WHW-CCC (D.N.J.).
5. A true and correct copy of Matthew Mendelsohn's law firm's certification in support of an application for award of attorneys' fees filed in *Alin v. Honda*, 2:08-cv-04825-KSH-PS (D.N.J.).
6. A demonstrative chart graphically depicting the weekly Claim Form submissions to Kurtzman Carson Consultants LLC, as indicated in Exhibit C to the Declaration of Jenny Cudworth.
7. A true and correct copy of NNA's October 15, 2010 NNA announcement of the 8/80 Warranty Extension sent to NNA's authorized dealers.
8. Certificate of Service.

Dated: Dallas, Texas,
April 19, 2013

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nina S. McDonald". The signature is fluid and cursive, with the first name "Nina" being more prominent.

Nina S. McDonald (admitted *pro hac vice*)
TX Bar No. 24056282